

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

A&E TELEVISION NETWORKS, LLC, a  
Delaware limited liability company; and D&D  
TELEVISION PRODUCTIONS, INC., a New  
York corporation,

Plaintiffs,

-against-

PIVOT POINT ENTERTAINMENT, LLC, a  
California limited liability company; DUANE  
CHAPMAN, an individual; and ALICE  
BARMORE-SMITH CHAPMAN, an individual,

Defendants.

AND RELATED COUNTERCLAIMS AND  
CROSS-CLAIMS

10 Civ. 9422 (AJN)(JLC)  
ECF Case

**DUANE AND BETH CHAPMAN'S  
RESPONSES TO PIVOT POINT  
ENTERTAINMENT LLC'S  
EVIDENTIARY OBJECTIONS TO  
DECLARATION OF ANDREW B.  
BRETTLER**

Action Filed: December 17, 2010

Defendants/Cross-Claimants Duane Chapman ("Dog") and Beth Chapman ("Beth"), erroneously sued as Alice Barmore-Smith Chapman (collectively, the "Chapmans"), hereby submit the following Responses to Pivot Point Entertainment LLC's ("Pivot Point") Evidentiary Objections to Declaration of Andrew B. Brettler, dated August 24, 2012, in Opposition to Pivot Point's Motion for Summary Judgment.

**RESPONSE TO OBJECTIONS TO BRETTLER DECLARATION**

**Evidence:**

Andrew B. Brettler Decl. ¶13. Exhibit 82 contains a May 25, 2005 email from Mr. Krutonog's ex-wife, Maureen Kedes, to Kathy Lee with a copy to Mr. Krutonog. The copy marked at the deposition does not bear a production number.

**Objection:**

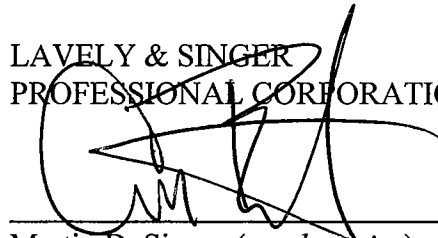
Lacks foundation, and there is no showing that Mr. Brettler has the requisite knowledge to provide the evidentiary support to make this document admissible. Ms. Kedes was not examined in deposition in this interpleader action, and her testimony, if any, is not set out here. Neither Krutonog nor Pivot was a party to the Chapmans lawsuit against her, which the Chapmans voluntarily dismissed given that it was without any merit.

**Response:**

Mr. Brettler's testimony pertains to the authenticity of an exhibit introduced and marked at the deposition of Boris Krutonog in this action, which Mr. Brettler reviewed first-hand. The exhibit in question was admitted as evidence at the California Labor Commissioner initiated by the Chapmans against Mr. Krutonog. Mr. Krutonog and his counsel attended the Labor Commissioner proceedings, at which this document, originally prepared by Mr. Krutonog's ex-wife, was introduced. Mr. Krutonog was also questioned about this exhibit at his deposition in this action. Mr. Brettler's testimony is descriptive of the contents of Exhibit 82, and is submitted to demonstrate the relevance of Exhibit 82. Pivot Point did not specifically object to the exhibit itself, or the contents thereof.

DATED: Los Angeles, California  
October 18, 2012

LAVELY & SINGER  
PROFESSIONAL CORPORATION



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